

REMARKS

Claims 56-71 are pending in the present application.

At the outset, Applicants wish to thank Examiner Swartz for the indication that the previous rejections of (a) Claims 56-70 under 35 U.S.C. §112, second paragraph, and (b) Claims 58 and 59 under 35 U.S.C. §112, first paragraph (enablement), have been withdrawn (Office Action mailed May 19, 2004, page 2, paragraphs 3-4).

The objection to the specification at page 31, line 10 and the rejections of: (a) Claims 61-70 under 35 U.S.C. § 112, second paragraph, and (b) Claims 56-60 under 35 U.S.C. § 112, second paragraph, have been obviated by amendment of the specification at page 31, line 10 and the submission of a correspondingly amended substitute Sequence Listing.

As stated above, the discrepancy appearing between SEQ ID NO: 5 and SEQ ID NO: 10 is a typographical error that was introduced during preparation of the priority application. Support for the correction of this typographical error can be found in the original SEQ ID NOs: 4 and 5 for the following reasons. SEQ ID NO: 10 is an immunogenic fragment of the polypeptide of SEQ ID NO: 5 (page 31, lines 1-2). Inspection of SEQ ID NO: 5 shows that SEQ ID NO: 10 corresponds to amino acid residues 35-52 with the exception of the alanine appearing in the C-terminal position of SEQ ID NO: 10 rather than a glutamine, which appears as residue 52 in SEQ ID NO: 5. Support for the correct amino acid at this position of discrepancy is found in the 52nd codon in SEQ ID NO: 4 (CAG sequence at nucleotides 154-156), which encodes for the polypeptide sequence of SEQ ID NO: 4 and thus, in part, SEQ ID NO: 10. As is widely appreciated in the art CAG is the codon for glutamine. Therefore, Applicants submit that the correction to the specification and the Sequence Listing would be

readily apparent to the skilled artisan and these corrections are fully supported by the present specification.


In view of the foregoing, withdrawal of these grounds of rejection is requested.

Applicants have now submitted a substitute Sequence Listing and a corresponding computer-readable Sequence Listing. The sequence information recorded in the corresponding computer-readable Sequence Listing is identical to the paper copy of the substitute Sequence Listing. Support for all of the sequences listed in the substitute Sequence Listing is found in the present application as originally filed. No new matter is believed to have been introduced by the submission of the substitute Sequence Listing and the corresponding computer-readable Sequence Listing.

Applicants submit that the present application is now in condition for allowance. Early notification of such action is earnestly solicited.

Respectfully submitted,

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